



General Assembly

**Substitute Bill No. 5368**

January Session, 2011

\* \_\_\_\_HB05368ENV\_\_032211\_\_\_\_ \*

**AN ACT EXTENDING CERTAIN PET SHOP LICENSEE  
REQUIREMENTS TO PERSONS AND ORGANIZATIONS THAT  
IMPORT ANIMALS FOR ADOPTION.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22-344 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2011*):

3 (a) No person shall maintain a commercial kennel until he has  
4 obtained from the commissioner a license to maintain such kennel  
5 under such regulations as the commissioner provides as to sanitation,  
6 disease and humane treatment of dogs or cats and the protection of the  
7 public safety. Upon written application and the payment of a fee of  
8 two hundred dollars, the commissioner shall issue such license to be  
9 effective until the ensuing December thirty-first provided the  
10 commissioner finds (1) that such regulations have been complied with,  
11 and (2) in the case of each initial application for such license, that the  
12 zoning enforcement official of the municipality wherein such kennel is  
13 to be maintained has certified that the kennel conforms to the  
14 municipal zoning regulations. Such license shall be renewed annually,  
15 not later than December thirty-first, in accordance with the provisions  
16 of this section, and may be transferred by the licensee to another  
17 premises upon approval of the commissioner.

18 (b) No person shall maintain a pet shop until he has obtained from

19 the commissioner a license to maintain such pet shop under such  
20 regulations as the commissioner provides as to sanitation, disease and  
21 humane treatment of animals and the protection of the public safety.  
22 Upon written application and the payment of a fee of two hundred  
23 dollars, the commissioner shall issue such license to be effective until  
24 the ensuing December thirty-first provided the commissioner finds (1)  
25 that such regulations have been complied with, and (2) in the case of  
26 each initial application for such license, that the zoning enforcement  
27 official of the municipality wherein such pet shop is to be maintained  
28 has certified that the pet shop conforms to the municipal zoning  
29 regulations. Such pet shop license may be transferred by the licensee to  
30 another premises upon the approval of the commissioner. The  
31 commissioner, after consultation with the Commissioners of Public  
32 Health and Environmental Protection, shall establish and maintain,  
33 pursuant to regulations adopted in accordance with chapter 54, a list of  
34 animals which are deemed to be injurious to the health and safety of  
35 the public or whose maintenance in captivity is detrimental to the  
36 health and safety of the animal. The sale or offer of sale of any animal  
37 which is on said list is prohibited and any person who violates this  
38 provision shall be fined not more than five hundred dollars.

39 (c) No person shall engage in the business of grooming or  
40 maintaining a grooming facility until such person has obtained from  
41 the commissioner a license to maintain such facility under such  
42 regulations as the commissioner provides as to sanitation, disease and  
43 humane treatment of such animals and the protection of the public  
44 safety. Upon written application and the payment of a fee of one  
45 hundred dollars, the commissioner shall issue such license to be  
46 effective until the ensuing December thirty-first provided the  
47 commissioner finds (1) that such regulations have been complied with,  
48 and (2) in the case of each initial application for such license, that the  
49 zoning enforcement official of the municipality wherein such  
50 grooming is to be maintained has certified that the facility conforms to  
51 the municipal zoning regulations. Such license shall be renewed  
52 annually, not later than December thirty-first, in accordance with the

53 provisions of this section, and may be transferred by the licensee to  
54 other premises upon approval of the commissioner.

55 (d) No person shall maintain a training facility until such person has  
56 obtained from the commissioner a license to maintain such facility  
57 under such regulations as the commissioner provides as to sanitation,  
58 disease and humane treatment of such animals and the protection of  
59 public safety. Upon written application and the payment of a fee of  
60 one hundred dollars, the commissioner shall issue such license to be  
61 effective until the ensuing December thirty-first provided the  
62 commissioner finds (1) that such regulations have been complied with,  
63 and (2) in the case of each initial application for such license, that the  
64 zoning enforcement official of the municipality wherein such training  
65 facility is to be maintained has certified that the facility conforms to the  
66 municipal zoning regulations. Such license shall be renewed annually  
67 upon the terms required for the original license and may be transferred  
68 by the licensee to another premises upon approval of the  
69 commissioner.

70 (e) (1) No animal importer shall import any dog or cat into this state  
71 until such person registers as an animal importer with the  
72 commissioner. Such registration shall be on a form as prescribed by the  
73 commissioner. Such registration shall require the submission of the  
74 following information: (A) The name, mailing address, business  
75 address, telephone number and Internet address of such registrant,  
76 and (B) if such registrant is domiciled out-of-state, the name,  
77 Connecticut address and phone number of a Connecticut-based agent  
78 for service of process. Such registration shall be accompanied by  
79 payment of a fee of one hundred dollars and shall be valid until the  
80 December thirty-first following such registration. Such registration  
81 shall be renewed annually, in accordance with the provisions of this  
82 subsection, provided the commissioner determines that such registrant  
83 complies with any regulation provided by the commissioner as to the  
84 health, safety and humane treatment of animals that is applicable to  
85 animal importers. Such registration shall not be required by any  
86 employee or volunteer of a registered animal importer or other person

87 who is required to be licensed pursuant to the provisions of this  
88 chapter, provided such employee, volunteer or other person is not  
89 otherwise an animal importer. Any person who violates the provisions  
90 of this subdivision shall be fined not more than five hundred dollars  
91 for each animal that is the subject of such violation.

92 (2) Any animal importer who intends to offer for sale, adoption or  
93 transfer any dog or cat at a venue or location that is open to the public  
94 or at an outdoor location, including, but not limited to, a parking lot or  
95 shopping center, shall provide notice to the Department of Agriculture  
96 and the municipal zoning enforcement officer of the town where any  
97 such sale, adoption or transfer will occur, not later than ten days prior  
98 to such event. Such notice shall state the date for such sale, adoption or  
99 transfer event, the exact location of such event and the anticipated  
100 number of animals for sale, adoption or transfer at such event. Any  
101 person who fails to provide notice as required pursuant to this  
102 subdivision shall be fined not more than one hundred dollars per  
103 animal that is offered for sale, adoption or transfer at such event.

104 (3) For the purpose of this subsection, "animal importer" means a  
105 person who brings any dog or cat into this state from another state for  
106 the purpose of offering such dog or cat to any person for sale, adoption  
107 or transfer or providing such dog or cat to any person in exchange for  
108 any fee, sale, voluntary contribution, service or any other  
109 consideration. "Animal importer" includes any commercial or  
110 nonprofit animal rescue or adoption, humane relocation or delivery  
111 organization that is not otherwise required to be licensed under the  
112 provisions of this chapter.

113 (4) The provisions of this subsection shall not be construed to apply  
114 to any animal importer who offers a dog or cat for sale to a pet shop  
115 that is licensed in accordance with the provisions of subsection (b) of  
116 this section.

117 [(e)] (f) The commissioner may, at any time, inspect or cause to be  
118 inspected by the commissioner's agents any such commercial kennel,

119 pet shop, grooming facility or training facility, and if, (1) in the  
120 commissioner's judgment such kennel, pet shop, grooming facility or  
121 training facility is not being maintained in a sanitary and humane  
122 manner or in a manner that protects the public safety, (2) the  
123 commissioner finds that contagious, infectious or communicable  
124 disease or other unsatisfactory conditions exist, or (3) in the case of a  
125 pet shop, the commissioner finds any violation of the provisions of  
126 section 22a-381d, the commissioner may issue such orders as the  
127 commissioner deems necessary for the correction of such conditions  
128 and may quarantine the premises and animals. If the owner or keeper  
129 of such kennel, pet shop, grooming facility or training facility fails to  
130 comply with the regulations or orders of the commissioner, or fails to  
131 comply with any provision of the statutes or regulations relating to  
132 dogs or other animals, the commissioner may revoke or suspend such  
133 license. Any person aggrieved by any order issued under the  
134 provisions of this section may appeal therefrom in accordance with the  
135 provisions of section 4-183. Any person maintaining any commercial  
136 kennel, pet shop, grooming facility or training facility without having  
137 obtained a license for the same or after any such license has been  
138 revoked or suspended as provided herein shall be fined not more than  
139 two hundred dollars. The provisions of this section shall not apply to  
140 veterinary hospitals, except those boarding or grooming dogs for  
141 nonmedical purposes, and other establishments where all the dogs or  
142 animals were born and raised on the premises where they are kept for  
143 sale.

144     ~~[(f)]~~ (g) The provisions of subsections (a) to (d), inclusive, of this  
145 section requiring certification by the zoning enforcement official that  
146 every commercial kennel, pet shop, grooming facility and training  
147 facility conforms to the zoning regulations of the municipality wherein  
148 such kennel, pet shop, grooming facility or training facility is  
149 maintained shall not apply to any person who is licensed under said  
150 subsections and maintained any such kennel, pet shop or grooming  
151 facility prior to October 1, 1977, provided such person does not  
152 relocate such kennel, pet shop, grooming facility or training facility in

153 a zone in which such kennel, pet shop, grooming facility or training  
154 facility is not a permitted use. In addition, the provisions of said  
155 subsections requiring certification by the zoning enforcement official  
156 that every commercial kennel, pet shop, grooming facility and training  
157 facility conforms to the zoning regulations of the municipality wherein  
158 such kennel, pet shop, grooming facility or training facility is  
159 maintained shall not apply when a zone in which such kennel, pet  
160 shop, grooming facility or training facility is maintained is changed to  
161 a use which does not permit such kennel, pet shop, grooming facility  
162 or training facility in such zone.

163 Sec. 2. (NEW) (*Effective October 1, 2011*) Any animal importer, as  
164 defined in section 22-344 of the general statutes, as amended by this  
165 act, shall, prior to offering a dog or cat for sale, adoption or transfer  
166 and thereafter at intervals of fifteen days until such dog or cat is sold,  
167 adopted or transferred, provide for examination of such dog or cat by  
168 a veterinarian licensed under chapter 384 of the general statutes. Such  
169 animal importer shall maintain a record of the veterinary services  
170 rendered for each dog or cat for a period of five years following such  
171 service. Any animal importer who violates the provisions of this  
172 section shall be fined not more than five hundred dollars for each  
173 animal that is the subject of such violation.

174 Sec. 3. Subsection (a) of section 22-354 of the general statutes is  
175 repealed and the following is substituted in lieu thereof (*Effective*  
176 *October 1, 2011*):

177 (a) Any dog or cat imported into this state shall be accompanied by  
178 a certificate of health issued no earlier than thirty days prior to the date  
179 of importation by a licensed, graduate veterinarian stating that such  
180 dog or cat is free from symptoms of any infectious, contagious or  
181 communicable disease, and that such dog or cat, if three months of age  
182 or older, is currently vaccinated for rabies by a licensed veterinarian. A  
183 copy of such health certificate shall be forwarded promptly to the  
184 commissioner from the livestock sanitary official of the state of origin.  
185 Any dog or cat originating from a rabies quarantine area shall have

186 permission of the State Veterinarian prior to importation into this state.  
 187 No person, firm or corporation shall import or export for the purposes  
 188 of sale, adoption or transfer or offering for sale, adoption or transfer  
 189 any dog or cat under the age of eight weeks unless such dog or cat is  
 190 transported with its dam and no person, firm or corporation shall sell  
 191 or offer for adoption or transfer within the state any dog or cat under  
 192 the age of eight weeks. Any person, firm or corporation violating the  
 193 provisions of this subsection or bringing any dog or cat into this state  
 194 from an area under quarantine for rabies shall be fined not more than  
 195 [one] five hundred dollars or imprisoned not more than thirty days, or  
 196 both.

197 Sec. 4. Subsection (b) of section 51-164n of the general statutes is  
 198 repealed and the following is substituted in lieu thereof (*Effective*  
 199 *October 1, 2011*):

200 (b) Notwithstanding any provision of the general statutes, any  
 201 person who is alleged to have committed (1) a violation under the  
 202 provisions of section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-  
 203 283, 7-325, 7-393, 8-25, 8-27, 9-63, 9-296, 9-305, 9-322, 9-350, 10-193, 10-  
 204 197, 10-198, 10-230, 10-251, 10-254, 12-52, 12-170aa, 12-292 or 12-326g,  
 205 subdivision (4) of section 12-408, subdivision (3), (5) or (6) of section  
 206 12-411, section 12-435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-  
 207 113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-  
 208 143b, 13a-247 or 13a-253, subsection (f) of section 13b-42, section 13b-  
 209 90, 13b-221, 13b-292, 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or  
 210 13b-410c, subsection (a), (b) or (c) of section 13b-412, section 13b-414,  
 211 subsection (d) of section 14-12, section 14-20a or 14-27a, subsection (e)  
 212 of section 14-34a, subsection (d) of section 14-35, section 14-43, 14-49,  
 213 14-50a or 14-58, subsection (b) of section 14-66, section 14-66a, 14-66b  
 214 or 14-67a, subsection (g) of section 14-80, subsection (f) of section 14-  
 215 80h, section 14-97a, 14-100b, 14-103a, 14-106a, 14-106c, 14-146, 14-152,  
 216 14-153 or 14-163b, a first violation as specified in subsection (f) of  
 217 section 14-164i, section 14-219 as specified in subsection (e) of said  
 218 section, subdivision (1) of section 14-223a, section 14-240, 14-249, 14-  
 219 250 or 14-253a, subsection (a) of section 14-261a, section 14-262, 14-264,

220 14-267a, 14-269, 14-270, 14-275a, 14-278 or 14-279, subsection (e) of  
 221 section 14-283, section 14-291, 14-293b, 14-296aa, 14-319, 14-320, 14-321,  
 222 14-325a, 14-326, 14-330 or 14-332a, subdivision (1), (2) or (3) of section  
 223 14-386a, section 15-33, subsection (a) of section 15-115, section 16-256,  
 224 16-256e, 16a-15 or 16a-22, subsection (a) or (b) of section 16a-22h,  
 225 section 17a-24, 17a-145, 17a-149, 17a-152, 17a-465, 17a-642, 17b-124,  
 226 17b-131, 17b-137 or 17b-734, subsection (b) of section 17b-736, section  
 227 19a-30, 19a-33, 19a-39 or 19a-87, subsection (b) of section 19a-87a,  
 228 section 19a-91, 19a-105, 19a-107, 19a-215, 19a-219, 19a-222, 19a-224,  
 229 19a-286, 19a-287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-336, 19a-338,  
 230 19a-339, 19a-340, 19a-425, 19a-502, 20-7a, 20-14, 20-158, 20-231, 20-257,  
 231 20-265 or 20-324e, section 20-341l, 20-597, 20-608, 20-610, 21-30, 21-38,  
 232 21-39, 21-43, 21-47, 21-48, 21-63, 21-76a, 21a-21, 21a-25, 21a-26 or 21a-  
 233 30, subsection (a) of section 21a-37, section 21a-46, 21a-61, 21a-63 or  
 234 21a-77, subsection (b) of section 21a-79, section 21a-85, 21a-154, 21a-  
 235 159, 22-13, 22-14, 22-15, 22-16, 22-29, 22-34, 22-35, 22-36, 22-38, 22-39,  
 236 22-39a, 22-39b, 22-39c, 22-39d, 22-39e, 22-49, 22-54, 22-61, 22-89, 22-90,  
 237 22-98, 22-99, 22-100, 22-111o, 22-279, 22-280a, 22-318a, 22-320h, 22-324a,  
 238 22-326 or 22-342, subsection (b), (e) or [(e)] (f) of section 22-344, as  
 239 amended by this act, section 22-359, 22-366, 22-391, 22-413, 22-414, 22-  
 240 415, 22a-66a or 22a-246, subsection (a) of section 22a-250, subsection (e)  
 241 of section 22a-256h, section 22a-381d, 22a-449, 22a-461, 23-37, 23-38, 23-  
 242 46 or 23-61b, subsection (a) or (b) of section 23-65, section 25-37, 25-40,  
 243 26-19, 26-21, 26-31, 26-40, 26-40a, 26-49, 26-54, 26-59, 26-61, 26-64, 26-79,  
 244 26-89, 26-97, 26-107, 26-117, 26-128, 26-131, 26-132, 26-138, 26-141, 26-  
 245 207, 26-215, 26-224a, 26-227, 26-230, 26-294, 28-13, 29-6a, 29-109, 29-  
 246 143o, 29-143z or 29-156a, subsection (b), (d), (e) or (g) of section 29-  
 247 161q, section 29-161y, 29-161z, 29-198, 29-210, 29-243, 29-277,  
 248 subsection (c) of section 29-291c, section 29-316, 29-318, 29-381, 30-48a,  
 249 30-86a, 31-3, 31-10, 31-11, 31-12, 31-13, 31-14, 31-15, 31-16, 31-18, 31-23,  
 250 31-24, 31-25, 31-28, 31-32, 31-36, 31-38, 31-38a, 31-40, 31-44, 31-47, 31-48,  
 251 31-51, 31-51k, 31-52, 31-52a or 31-54, subsection (a) or (c) of section 31-  
 252 69, section 31-70, 31-74, 31-75, 31-76, 31-76a, 31-89b or 31-134,  
 253 subsection (i) of section 31-273, section 31-288, 36a-787, 42-230, 45a-450,  
 254 45a-634 or 45a-658, subdivision (13) or (14) of section 46a-54, section

255 46a-59, 46b-22, 46b-24, 46b-34, 46b-38dd\*, 46b-38gg\*, 46b-38kk\*, 47-34a,  
 256 47-47, 49-8a, 49-16 or 53-133, or section 53-212a, 53-249a, 53-252, 53-264,  
 257 53-302a, 53-303e, 53-311a, 53-321, 53-322, 53-323, 53-331, 53-344 or 53-  
 258 450, or (2) a violation under the provisions of chapter 268, or (3) a  
 259 violation of any regulation adopted in accordance with the provisions  
 260 of section 12-484, 12-487 or 13b-410, or (4) a violation of any ordinance,  
 261 regulation or bylaw of any town, city or borough, except violations of  
 262 building codes and the health code, for which the penalty exceeds  
 263 ninety dollars but does not exceed two hundred fifty dollars, unless  
 264 such town, city or borough has established a payment and hearing  
 265 procedure for such violation pursuant to section 7-152c, shall follow  
 266 the procedures set forth in this section.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2011	22-344
Sec. 2	October 1, 2011	New section
Sec. 3	October 1, 2011	22-354(a)
Sec. 4	October 1, 2011	51-164n(b)

**Statement of Legislative Commissioners:**

Section 4 was added to the bill as a conforming change to make the bill technically correct.

**ENV**      *Joint Favorable Subst.*